JAW JA

DEC 2 2 2008

PATENT ATTORNEY DOCKET NO.: 040894-7392

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicat	ion of:)
Nobuaki YAC	GI) Confirmation No.: 5562
Application N	o.: 10/567,860) Art Unit: 3721
Filed: Februa	ary 10, 2006) Examiner: L. Low
MECH	R-PRESSING TABLE LOCK HANISM OF A STAPLER MENDED)) Mail Stop AF)

Mail Stop AF,

Commissioner for Patents U.S. Patent and Trademark Office Alexandria, VA 22314

Madam:

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Final Office Action dated July 24, 2008, finally rejecting claims 1-5.

12/23/2008 JADDO1 00000060 500310 10567860

01 FC:1252 490.00 DA 02 FC:1401 540.00 DA

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1.	Extension of Time					
		proceedings herein are for a patent application and the provisions of F.R. § 1.136(a) apply.				
	Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applica have inadvertently overlooked the need for a petition and fee for extension of time.					
	Applicants request an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:					
		Total Months Requested	Fee for Extension	[Fee for Small		
		one month two months three months four months	\$ 130.00 \$ 490.00 \$ 1,110.00 \$ 1,730.00	\$ 65.00 \$ 245.00 \$ 555.00 \$ 865.00		
		An extension for three months has already been secured and the fee paid of \$0 is deducted from the total fee due for the total months of extension now requested.				
		Please charge Deposit Account No. 50-0310 in the amount of \$0.00.				
	If an additional extension of time is required, please consider this a Petition therefor.					
2.	Notice of Appeal Fee - 37 C.F.R. § 41.20(b)(1)					
	\boxtimes	The Commissioner is authorized to charge the appeal fee of \$540.00 to Deposit Account No. 50-0310.				
3.	Fee Payment					
	\boxtimes	The Commissioner is authorized to charge Deposit Account No. 50-0310 the total amount of \$1,030.00 (adjusted extension of time fee and Notice of Appeal fee).				

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4. Constructive Petition

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

David E. Connor Reg. No. 59,868

Dated: December 22, 2008

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